

KENTUCKY REAL ESTATE APPRAISERS BOARD

TYPE OF MEETING

Regular Meeting

DATE AND LOCATION

June 27, 2014 – Board Office

PRESIDING OFFICER

Harold Brantley, Chair

ROLL CALL

Present:

Harold Brantley, Chair
Sam Blackburn, Vice Chair
G. Herbert Pritchett, Board Member
Kathy Mayfield, Board Member
Thomas Oliver, Board Member

Present Also:

Larry Disney, Executive Director
Tom Veit, Executive Assistant
Angie Thomas, Staff Assistant
Kim Mathias, Executive Secretary
James Grawe – Board Counsel
Brian Judy – Board Counsel

Chair, Harold Brantley opened the meeting and welcomed the guest in attendance. James Grawe, whom is retiring, introduced Brian Judy from the Attorney General Office. Mr. Judy will be the Board's new Counsel.

MINUTES

Motion by Thomas Oliver, second by Kathy Mayfield and the Board unanimously approved the May 27, 2014 minutes with amendment. Roll call – Sam Blackburn – Yes; G. Herbert Pritchett – Yes; Kathy Mayfield – Yes; Thomas Oliver - Yes.

Motion by Sam Blackburn, second by G. Herbert Pritchett and the Board unanimously approved the April 25, 2014 minutes with amendments. Roll call – Sam Blackburn – Yes; G. Herbert Pritchett – Yes; Kathy Mayfield – Yes; Thomas Oliver – Yes.

EDUCATION

Motion by Sam Blackburn, second by G. Herbert Pritchett and the Board unanimously approved the following education courses for Fiscal Year 2014-2015. Roll call – Sam Blackburn – Yes; G. Herbert Pritchett – Yes; Kathy Mayfield – Yes; Thomas Oliver – Yes.

- (1) ASFMRA – Kentucky Farm Managers & Rural Appraisers
 - A. Let's Talk Timber – 7 hours CE Classroom
- (2) Hondros College of Business
 - A. Covering All The Bases in Residential Reporting – 7 hours CE virtual classroom
 - B. Green in Residences and Appraisals – 7 hours CE virtual classroom
- (3) American Society of Appraisers
 - A. RP-401 Allocating Components in Going Concerns Appraisals – 27 hours CE classroom
- (4) Kentucky Association of Real Estate Appraisers
 - A. Accurate Real Estate Appraisal of Factory-Built Homes – 7 hours CE classroom
- (5) Career Webschool – See Attached
- (6) McKissock, LP
 - A. Reviewer's Checklist – Live Webinar – 4 hours CE Internet
 - B. Understanding Residential Construction – 7 hours CE Internet
- (7) ASFMRA
 - A. Timber Property Valuation – 8 hours
- (8) Appraisal Institute
 - A. Quantitative Analysis – Synchronous – 35 hours QE Internet

Larry Disney commented on #1 and #7 listed above. He stated any course that includes the value of real property and the value of timber rights does apply to real property and made a strong recommendation to approve the courses. He also recommended that each Board member that was able to do so should attend the courses.

EXPERIENCE REVIEW

Motion by G. Herbert Pritchett, second by Kathy Mayfield and the Board unanimously approved the following experience. Roll call – Sam Blackburn – Yes; G. Herbert Pritchett – Yes; Kathy Mayfield – Yes; Thomas Oliver – Yes.

- (A) Terry Delaney – Approve Experience for Certified Residential. He will need to pass the Certified Residential exam.
- (B) Kyle Shelton – Approve Experience for Certified General. He will need to pass the Certified General Exam.

CERTIFICATION/LICENSURE

A. Approval – Appraisers – Motion by Sam Blackburn, second by G. Herbert Pritchett and the Board voted to approve the following certification list of appraisers. Roll call – Sam Blackburn – Yes; G. Herbert Pritchett – Yes; Kathy Mayfield – Yes; Thomas Oliver – Yes.

- (1) Danielle Fegan – Certified Residential
- (2) Robert G. Gentry – Certified General (VA)
- (3) Christa G. Grimes – Associate
- (4) Christina Hinton – Certified General
- (5) Craig S. Huber – Certified General (TN)
- (6) Russell L. Kitzberger – Certified General (OH)
- (7) Miles Loo, Jr. – Certified General (CA)
- (8) David Madison – Certified General (NC)
- (9) James W. Myers – Certified General (CA)
- (10) Jeffrey R. Nieman – Certified General (OH)
- (11) Michael S. Ray – Associate
- (12) Carols G. Reyes – Certified General (NC)
- (13) Ed W. Smith – Certified General (FL)
- (14) Dirk G. Vanderkraats - Associate

B. The Board acknowledged the following Appraisal Managements Companies that have completed all requirements and have been issued a certificate.

- (1) Lenders Aid Nationwide- #142
- (2) Stewart Valuation Services, LLC #143

C. Curtis Hansen – AMC Compliance Manager – Motion by G. Herbert Pritchett, second by Sam Blackburn and the Board approved the application. Roll call – Sam Blackburn – Yes; G. Herbert Pritchett – Yes; Kathy Mayfield – Yes; Thomas Oliver – Yes.

COMPLAINT

A. The Board reviewed the Case Summary Chart. 27 cases filed for 2014.

B. Tom Veit advised the Board that a complaint for violation of KRS 324A.090 has been filed with Kenton, Boone and Campbell County Attorney on Jon Faulkner.

- C. Case No. 13-42 – Motion by Thomas Oliver, second by Sam Blackburn and the Board voted unanimously to file a formal complaint and set for a hearing. Roll call – Sam Blackburn – Yes; G. Herbert Pritchett – Yes; Kathy Mayfield – Yes; Thomas Oliver – Yes.
- D. Case No. 13-48 – Motion by Sam Blackburn, second by Kathy Mayfield and the Board voted unanimously to dismiss the case. Roll call – Sam Blackburn – Yes; G. Herbert Pritchett – Yes; Kathy Mayfield – Yes; Thomas Oliver – Yes.
- E. Case No. 13-49 – Motion by Sam Blackburn, second by Thomas Oliver and the Board voted unanimously to dismiss the case. Roll call – Sam Blackburn – Yes; G. Herbert Pritchett – Yes; Kathy Mayfield – Yes; Thomas Oliver – Yes.
- F. Case No. 13-52 – Motion by Sam Blackburn, second by Kathy Mayfield and the Board voted to dismiss the case. Roll call – Sam Blackburn – Yes; G. Herbert Pritchett – No; Kathy Mayfield – Yes; Thomas Oliver – Yes
- G. Case No. 13-62 – Motion by G. Herbert Pritchett, second by Sam Blackburn and the Board voted unanimously to file a formal complaint and set for a hearing. Roll call – Sam Blackburn – Yes; G. Herbert Pritchett – Yes; Kathy Mayfield – Yes; Thomas Oliver – Yes.
- H. Case No. 14-05 – Motion by Sam Blackburn, second by G. Herbert Pritchett and the Board voted unanimously dismiss the case. Roll call – Sam Blackburn – Yes; G. Herbert Pritchett – Yes; Kathy Mayfield – Yes; Thomas Oliver – Yes.
- I. Case No. 14-10 – Motion by Thomas Oliver, second by Kathy Mayfield and the Board voted unanimously to file a formal complaint and set for a hearing. Roll call – Sam Blackburn – Yes; G. Herbert Pritchett – Yes; Kathy Mayfield – Yes; Thomas Oliver – Yes.
- J. Case No. 14-11 – Motion by Thomas Oliver, second by G. Herbert Pritchett and the Board voted unanimously to file a formal complaint and set the case for a hearing. Roll call – Sam Blackburn – Yes; G. Herbert Pritchett – Yes; Kathy Mayfield – Yes; Thomas Oliver – Yes.
- K. Case No. 14-12 – Motion by Sam Blackburn, second by Kathy Mayfield and the Board voted unanimously to file a formal complaint and set the case for a hearing. Roll call – Sam Blackburn – Yes; G. Herbert Pritchett – Yes; Kathy Mayfield – Yes; Thomas Oliver – Yes

- L. Case No. 14-13 – Motion by Sam Blackburn, second by Thomas Oliver and the Board voted unanimously to dismiss the case. Roll call – Sam Blackburn – Yes; G. Herbert Pritchett – Yes; Kathy Mayfield – Yes; Thomas Oliver – Yes
- M. Case No. 13-02 AMC – Motion by Sam Blackburn, second by Thomas Oliver and the Board voted unanimously to file a formal complaint and set the case for a hearing. Roll call – Sam Blackburn – Yes; G. Herbert Pritchett – Yes; Kathy Mayfield – Yes; Thomas Oliver – Yes.
- N. Case No. 14-06 AMC – Motion by G. Herbert Pritchett, second by Sam Blackburn and the Board unanimously voted to file a formal complaint and set the case for a hearing. Roll call – Sam Blackburn – Yes; G. Herbert Pritchett – Yes; Kathy Mayfield – Yes; Thomas Oliver – Yes.
- O. Case No. 14-09 AMC – Motion by G. Herbert Pritchett to dismiss for lack of jurisdiction. After discussion, the Board authorizes the Attorney to review and make recommendation at a future Board meeting. G. Herbert Pritchett withdrew his motion. Motion by Sam Blackburn, second by Thomas Oliver and the Board unanimously voted to table the case until attorney advises the Board on findings. Roll call – Sam Blackburn – Yes; G. Herbert Pritchett – Yes; Kathy Mayfield – Yes; Thomas Oliver – Yes.
- P. Case No. 14-11 AMC – Motion by G. Herbert Pritchett to dismiss for lack of jurisdiction. After discussion, the Board authorizes the Attorney to review and make recommendation at a future Board meeting. G. Herbert Pritchett withdrew his motion. Motion by Sam Blackburn, second by Thomas Oliver and the Board unanimously voted to table the case until attorney advises the Board on findings. Roll call – Sam Blackburn – Yes; G. Herbert Pritchett – Yes; Kathy Mayfield – Yes; Thomas Oliver – Yes.
- Q. Case No. 12-04 AMC – Motion by Sam Blackburn, second by G. Herbert Pritchett and the Board voted unanimously to dismiss the case without prejudice. Roll call – Sam Blackburn – Yes; G. Herbert Pritchett – Yes; Kathy Mayfield – Yes; Thomas Oliver – Yes.
- R. Case No. 12-05 AMC – Motion by Kathy Mayfield, second by Sam Blackburn and the Board voted unanimously to dismiss the case because recovery fund was not in effect at the time the unpaid fees were incurred. Roll call – Sam Blackburn – Yes; G. Herbert Pritchett – Yes; Kathy Mayfield – Yes; Thomas Oliver – Yes.
- S. Case No. 13-45· Agreed Order – Motion by Sam Blackburn, second by Thomas Oliver and the Board approved the following agreed order. Roll call – Sam Blackburn – Yes; G. Herbert Pritchett – Yes; Kathy Mayfield – Yes; Thomas Oliver – Yes.
 - (a) Dillingham shall complete a 15 hour Residential Site Valuation and Cost Approach Course with successful completion of the examination. Said 15

hours of education shall be in addition to the regular continuing education requirement of 201 KAR 30:050 Section 7. The course work required herein shall be completed by December 31, 2014.

- (b) Dillingham agrees that the Board shall not renew his certification for the 2015 renewal cycle July 1, 2015 until he has completed the requirements of the terms set out in paragraphs (a) of this order

T. Case No. 13-46 Agreed Order – Motion by Kathy Mayfield, second by Sam Blackburn and the Board approved the following agreed order. Roll call – Sam Blackburn – Yes; G. Herbert Pritchett – Yes; Kathy Mayfield – Yes; Thomas Oliver – Yes.

- (a) Wientjes shall be fined the sum of \$1,000.00 with total amount due by December 31, 2014.
- (b) Wientjes shall complete a 15 hour Residential Market Analysis and Highest and Best Use Course with successful completion of the examination. Said 15 hours of education shall be in addition to the regular continuing education requirement of 201 KAR 30:050 Section 7. The course work required herein shall be completed by December 31, 2014.
- (c) Wientjes shall submit a log of assignments to the KREAB office every 3 months for 2 years from the date the Agreed Order is signed, and the KREAB staff or designee shall have the right to request and review reports from the log upon notice to the respondent.
- (d) Wientjes agrees to have no associate appraisers for 3 years from the date of the agreed order.
- (e) Wientjes agrees that the Board shall not renew his certification for the 2015 renewal cycle July 1, 2015 until he has completed the requirements of the terms set out in paragraphs (a and b) of this order.

U. Case No. 13-36 Agreed Order – Motion by Thomas Oliver, second by Sam Blackburn and the Board approved the following agreed order. Roll call – Sam Blackburn – Yes; G. Herbert Pritchett – Yes; Kathy Mayfield – Yes; Thomas Oliver – Yes.

- (a) Burge agrees to surrender his Certified General Real Property Appraiser certification effective June 30, 2014.
- (b) Burge will be issued a Certified Residential Real Property appraiser certification effective July 1, 2014.
- (c) Burge will perform all commercial or general real property appraisal assignments that require the services of a certified general appraiser, under the supervision of a Kentucky Certified General real property appraiser, and that general appraisal will sign the appraisal reports.

V. Case Nos. 13-37 and 13-38 – Agreed Order - Motion by Sam Blackburn, second by G. Herbert Pritchett and the Board approved the following agreed order. Roll call – Sam

Blackburn – Yes; G. Herbert Pritchett – Yes; Kathy Mayfield – Yes; Thomas Oliver – Yes.

- (a) Hadley shall be fined the sum of \$1,000.00 with total amount due by December 31, 2014.
- (b) Hadley shall submit a log of assignments to the KREAB office every 3 months for 3 years from the date the Agreed Order is signed, and the KREAB staff or designee shall have the right to request and review reports from the log upon notice to the respondent.
- (c) Hadley agrees to no Associate appraisers for 3 years from the date of the agreed order.
- (d) Hadley agrees that the Board shall not renew her certification for the 2015 renewal cycle July 1, 2015 until she has completed the requirements of the terms set out in paragraphs (a) of this order.

W. Case No. 13-44 – Agreed Order - Motion by Thomas Oliver, second by Sam Blackburn and the Board approved the following agreed order. Roll call – Sam Blackburn – Yes; G. Herbert Pritchett – Yes; Kathy Mayfield – Yes; Thomas Oliver – Yes.

- (a) Beck shall complete a 15 hour Residential Sales Comparison Course with successful completion of the examination. Said 15 hours of education shall be in addition to the regular continuing education requirement of 201 KAR 30:050 Section 7. The course work required herein shall be completed by December 31, 2014.
- (b) Beck agrees that the Board shall not renew his certification for the 2015 renewal cycle July 1, 2015 until he has completed the requirements of the terms set out in paragraphs (a and b) of this order.

X. Cases on Appeal

- (1) Lynn Prichard – 04-63 – A motion of dismissal has been requested. 12-10, 12-11, 12-12, 12-25, 12-26 - Ready for Briefing in Franklin Circuit Court
- (2) Matt Miniard – 10-18 – Appealed to Court of Appeals – 60 days to file brief
- (3) David Harrington– 08-49 through 08-57, 09-02, 09-03 and 09-07 – Pending with Judge

MISCELLANEOUS


The Board reviewed and discussed the following information:

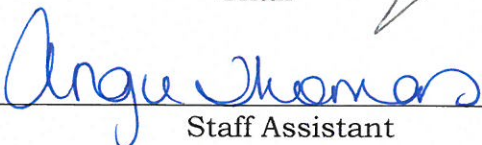
- A. Residential Real Estate Review – AMC – Motion by G. Herbert Pritchett, second by Sam Blackburn and the Board agreed to table this item until attorney has time to

- review materials. Roll call – Sam Blackburn – Yes; G. Herbert Pritchett – Yes; Kathy Mayfield – Yes; Thomas Oliver – Yes.
- B. Richard Sceifers – Motion by Sam Blackburn, second by G. Herbert Pritchett and the Board unanimously denied the renewal of Richard Sceifers based on recent felony convictions. Roll call – Sam Blackburn – Yes; G. Herbert Pritchett – Yes; Kathy Mayfield – Yes; Thomas Oliver – Yes.
- C. Budget Ending May 31, 2014
- D. Minimum Requirements for AMC's
- E. Supervisor/Associate course possible addition to QE – Larry Disney will discuss this with education providers and bring to future board meeting.
- F. March 2015 meeting – ASC Review – The Board ASC policy manager will be Claire Brooks beginning January 1, 2015.
- G. July 2014 Board meeting – July 25, 2014
- H. Discussion by Herb Pritchett – SettlementOne Appraiser Updates – Table until future Board meeting
- I. Motion by G. Herbert Pritchett, second by Sam Blackburn and the Board agreed to proceed with the Administrative Regulation Changes and Board approved for Larry Disney and/or Tom Veit to act as the spokesperson at the regulation subcommittee hearings. Roll call – Sam Blackburn – Yes; G. Herbert Pritchett – Yes; Kathy Mayfield – Yes; Thomas Oliver – Yes.
- i. 201 KAR 30:125 Continuing Education for Appraisers
 - ii. 201 KAR 30:180 Distance Education Standards
 - iii. 201 KAR 30:200 Reciprocity regulations for applicants licensed or certified in another state
 - iv. Recovery Fund, create new regulation and approve process for filing claim to recover fees from the recovery fund, including the claim form.
- J. Larry Disney provided the Board with a spreadsheet of Appraiser Disciplinary Actions Reported by States to the ASC.

The Board and staff presented James Grawe with a plaque for his years of service to the Board. The Board and staff are very appreciative of Mr. Grawe and his dedication to the Board.

Motion by Sam Blackburn, second by Kathy Mayfield and the Board unanimously agreed to adjourn the meeting.


Chair


Staff Assistant

CAREER WEBSCHOOL

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Contact Person: Dana Taulli (800) 532-7649

Web site: www.careerwebschool.com

COURSES APPROVED INTERNET/CD ROM PRE-LICENSING and CONTINUING EDUCATION CREDIT

**All approved pre-licensing courses will be accepted for continuing education credit.*

An FHA Single Family Appraisal	15 hours
Basic Appraisal Principles	30 hours
Basic Appraisal Procedures	30 hours
Residential Appraiser Site Valuation and Cost Approach	15 hours
Residential Market Analysis and Highest & Best Use	15 hours
Residential Report Writing & Case Studies	15 hours
Residential Sales Comparison & Income Approaches	30 hours

COURSES APPROVED INTERNET/CD ROM CONTINUING EDUCATION CREDIT

A URAR Form Review	7 hours
Cost Approach Overview	7 hours
Income Capitalization Overview	7 hours
Sales Comparison Approach	7 hours